

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ASHKENAZI, et al.

Application Serial No. 09/909,088

Filed: July 18, 2001

For: **SECRETED AND TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**



Examiner: Basi, Nirmal Singh

Art Unit: 1646

Attorney's Docket No. 39780-1618P2C79

Customer No. 35489

---

**EXPRESS MAIL LABEL NO. EV 765 978 452 US  
DATE MAILED: NOVEMBER 3, 2006**

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

**MAIL STOP — AMENDMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If Form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with M.P.E.P. §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

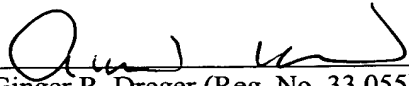
11/07/2006 RFEKADU1 00000035 081641 09909088

01 FC:1806 180.00 DA

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☒ a fee of **\$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of **\$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-1618P2C79).**

Respectfully submitted,

Dated: November 3, 2006

By:   
Ginger R. Dreger (Reg. No. 33,055)

**HELLER EHRMAN LLP**  
275 Middlefield Road  
Menlo Park, California 94025-3506  
Telephone: (650) 324-7000  
Facsimile: (650) 324-0638

Form PTO-1449  <b>INFORMATION DISCLOSURE STATEMENT</b>		Attorney's Docket No. 39780-1618P2C79		Application Serial No. 09/909,088				
(use several sheets if necessary)		Applicant(s)  ASHKENAZI, et al.		Group Art Unit: 1646				
		Filing Date: July 18, 2001						
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)	
	1.	8/21/90	4,950,647	Robins et al.			10/4/88	
	2.	7/15/97	5,648,376	Strobel et al.			1/19/95	
	3.	9/1/98	5,801,193	Ojo-Amaize et al.			4/15/97	
	4.	10/6/98	5,817,306	Haskill et al.			6/7/95	
	5.	09/28/99	5,958,403	Storm, et al.				
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO
<b>OTHER DOCUMENTS</b> (including author, title, date, pertinent pages, etc.)								
Examiner Initials	Ref. No.	Title						
	6.	Abolhassani, M., "Antibacterial effect of borage ( <i>Echium amoenum</i> ) on <i>Staphylococcus aureus</i> ," <i>Brazilian Journal of Infectious Diseases</i> 8:382-385 (2004).						
	7.	Amirghofran, Z. et al., "Echium amoenum stimulate of lymphocyte proliferation and inhibit fo humoral antibody synthesis," <i>Im. J. Med. Sci.</i> 25:119-124 (2000).						
	8.	Chapoal, A. I. et al., "Combination chemotherapy and IL-15 administration induces permanent tumor regression in a mouse lung tumor model: NK and T cell-mediated effects antagonized by B cells," <i>J. Immunol.</i> 161:6977-6984 (1998).						
	9.	Fung-Leung, et al., "Tepoxalin, A Novel Immunomodulatory Compound, Synergizes with CSA in Suppression of Graft-Versus-Host Reaction and Allogeneic Skin Graft Rejection", <i>Transplantation</i> , 60:362-368 (1995).						
	10.	Gennari, R. et al., "Granulocyte macrophage colony-stimulating factor improves survival in two models of gut-derived sepsis by improving gut barrier function and modulating bacterial clearance," <i>Annals of Surgery</i> 220:68-76 (1994).						
	11.	Grabstein, K.H. et al., "Cloning of a T cell growth factor that interacts with the beta chain of the interleukin-2 receptor," <i>Science</i> 264:965-968 (1994)						
	12.	Kasaian, M.T. et al., "IL-21 limits NK cell responses and promotes antigen-specific T cell activation: a mediator of the transition from innate to adaptive immunity," <i>Immunity</i> 16:559-569 (2002).						
	13.	Kirchner, G.I. et al., "Pharmacokinetics of recombinant human interleukin-2 in advanced renal cell carcinoma patients following subcutaneous application," <i>Br. J. Clin. Pharmacol.</i> 46:5-10 (1998).						
	14.	Ma, H-L et al., "IL-21 activates both innate and adaptive immunity to generate potent antitumor responses that require perforin but are independent of INF- $\gamma$ ," <i>J. Immunol.</i> 171:608-615 (2003).						
	15.	Naito, K. et al., "Macrophage factors which enhance the mixed leukocyte reaction initiated by dendritic cells," <i>J. Immunol.</i> 142:1834-1839 (1989).						
	16.	Nastala, C.L. et al., "Recombinant IL-12 administration induces tumor regression in association with IFN- $\gamma$ production," <i>J. Immunol.</i> 153:1697-1706 (1994).						
	17.	Pahwa, R. et al. "Recombinant interleukin 2 therapy in severe combined immunodeficiency disease," <i>Proc. Natl. Acad. Sci. USA</i> 86:5069-5073 (1989).						
	18.	Patterson, S. et al., "Human invariant NKT cells are required for effective in vitro alloresponses," <i>J. Immunol.</i> 175:5087-5094 (2005).						

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).

**DATE CONSIDERED:**

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).